



RE: Buckner, MO

Harold.Winnie to: MichaelB Davis

01/31/2012 03:15 PM

Cc: Robert Richards, Mary Peterson, Alyse Stoy, David.Barrett,
Allan.Beshore

From: <Harold.Winnie@dot.gov> *PHMSA*
To: MichaelB Davis/R7/USEPA/US@EPA
Cc: Robert Richards/R7/USEPA/US@EPA, Mary Peterson/SUPR/R7/USEPA/US@EPA, Alyse Stoy/R7/USEPA/US@EPA, <David.Barrett@dot.gov>, <Allan.Beshore@dot.gov>

History: This message has been replied to.

Mike,

I hope the following helps you. Please call me if you have any additional questions.

Harold

Please clarify whether PHMSA authorities can/are used to direct environmental sampling or cleanup related to pipeline abandonments of this type.

Answer: PHMSA does not have any authority on environmental sampling. Authority from congress is directed at providing guidance to the operator in maintaining the integrity of the pipeline and keeping product inside the pipe.

Please also describe the regulatory authorities and enforcement/oversight roles that PHMSA typically has for this type of action.

Answer: PHMSA does not have any siting authority for pipelines. A short relocation of this nature would generally get a review during our inspection process. A PHMSA inspector would normally review the abandonment records for the section of pipe abandoned and the construction records for the new section. Construction records might include type and grade of pipe, welding procedures used compared to standards, welder testing, hydrostatic testing, operator qualifications, and cathodic protection.

I'd also be interested in your thoughts on how PHMSA and EPA authorities could be coordinated in situations like this to ensure that both of our regulatory roles are addressed.

Answer: I believe the best way to coordinate in situations like this is to contact me (Harold Winnie by e-mail) with the questions and/or issues and I will be the point person to get comments or input from the Region or Headquarters as appropriate.

-----Original Message-----

From: MichaelB Davis [mailto:Davis.MichaelB@epamail.epa.gov]
Sent: Thursday, January 26, 2012 12:34 PM
To: Winnie, Harold (PHMSA)
Cc: Robert Richards; Mary Peterson; Alyse Stoy

40362938



Superfund

Subject: Fw: Buckner, MO

Harold,

Thanks for the summary of PHMSA oversight roles and authorities. Per our conversation, please see the attached pipeline re-route proposal from Sinclair. The existing pipeline passes through an EPA Superfund Site (Lyons Diecasting). Portions of the Site are contaminated with PCBs which likely resulted, in part, from historical operation of a pipeline pumping station at the Site. At this time, EPA has not made a determination as to whether the current pipeline operator is a responsible party for the Superfund cleanup action.

Please clarify whether PHMSA authorities can/are used to direct environmental sampling or cleanup related to pipeline abandonments of this type. Please also describe the regulatory authorities and enforcement/oversight roles that PHMSA typically has for this type of action. I'd also be interested in your thoughts on how PHMSA and EPA authorities could be coordinated in situations like this to ensure that both of our regulatory roles are addressed.

Your assistance is very much appreciated, as I want to appropriately respond to Sinclair's request.

Mike Davis
On-Scene Coordinator
U.S. EPA Region 7 SUPR/PPSS
901 N. 5th Street
Kansas City, KS 66101
office: (913) 551-7328
cell: (816) 682-5906

----- Forwarded by MichaelB Davis/R7/USEPA/US on 01/26/2012 12:16 PM

From: Robert Richards/R7/USEPA/US
To: MichaelB Davis/R7/USEPA/US@EPA
Date: 01/13/2012 02:56 PM
Subject: Fw: Buckner, MO

Mike,

This is the pipeline re-route. Dashed blue line. Let me know your opinion.

--BOB RICHARDS

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----- Forwarded by Robert Richards/R7/USEPA/US on 01/13/2012 02:54 PM

From: David Stice <dstice@sinclairoil.com>
To: Robert Richards/R7/USEPA/US@EPA
Date: 01/13/2012 12:08 PM
Subject: Buckner, MO

Mr. Richards,

Our pipeline division would like to re-route our pipeline around the Buckner site along the route described by the dashed line in the attachment. For your information, a conventional re-route consists of laying new line in the proposed route and tying the existing line into the new line at its ends. There are no plans to remove the existing pipeline that is being replace and is currently located at the Buckner site.

Sinclair wants to make sure that EPA has no concerns with this plan. We are aiming to commence the re-route during late February or early March, but must start getting various permissions in place soon, so we would appreciate you attention to our inquiry.

If you need further details, you may call be at your convenience.

David E. Stice
Corporate Attorney
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Salt Lake City, Utah 84102
Telephone: 801-524-2753
Fax: 801-524-2747

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(See attached file: Exhibit C, Plat of Proposed Buckner Reroute, Sinclair Transportation Company, 2008.pdf)